

PROPOSED

Medical Marijuana Dispensary and Production Zoning Regulations

Section 6.15 Medical Marijuana Dispensary and Production

6.15.1 Purpose. The purpose of this section is to regulate the location and operation of medical marijuana dispensary facilities and production facilities. The intent of these regulations is to minimize any adverse impacts of such facilities, and to protect and preserve Newington's neighborhoods, commercial districts, property values and quality of life.

6.15.2 Definitions. For use in this section of the Regulations:

A. "Dispensary facility" means a place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit under Public Act 12-155 and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies;

B. "Production facility" means a secure, indoor facility where the production of medical marijuana occurs and is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit under Public Act 12-155 and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies.

6.15.3 Applicability:

A. Medical marijuana dispensary facilities and production facilities shall be permitted only in the following zone, subject to special exception approval in accordance with Section 5.2 of these Regulations, site plan approval in accordance with Section 5.3 of these Regulations, and the requirements of this section:

1. I Industrial Zone

6.15.4 Separation Requirements. Uses identified in this section shall be subject to the following separation restrictions:

A. No medical marijuana dispensary facility or production facility shall be allowed within 1,000 feet of a church, temple or other place used primarily for religious worship, public building, private recreation area, or a school, playground, park or child day care facility;

B. No medical marijuana dispensary facility or production facility shall be allowed within 1,000 feet of any other site containing a medical marijuana distribution facility or production facility;

C. No medical marijuana distribution facility or production facility shall be allowed on a site that is less than 1,000 feet from any property that is zoned for single-family residential use as a permitted use.

D. No medical marijuana dispensary facility or production facility shall be allowed within the same building, structure or portion thereof that is used for residential purposes;

E. All distances contained in this section shall be measured by taking the nearest straight line between the respective lot boundaries of each site.

6.15.5 Sign and exterior display requirements:

A. Exterior signage shall be restricted to a single sign no larger than 16" x 18". No graphics of any kind will be allowed, and the text will be limited to the street address of the facility.

6.15.6 Off-Street Parking requirements:

A. Required off-street parking shall be in compliance with Section 6.1 of these regulations.

6.15.7 Security Requirements:

A. All medical marijuana dispensary facilities and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of Sec. 21a-408-62 of the State of Connecticut Regulations.

B. The hours of operation for medical marijuana dispensary facilities and production facilities shall be limited to between 7:00 a.m. and 5:00 p.m., all days of the week.

6.15.8 Conditional Approval:

A. Special Exceptions shall be approved with the condition that the applicant obtains the appropriate Dispensary or Production Facility permit issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur).

B. The conditional approval shall become finalized upon the receipt by the Town Planner of a copy of the Department of Consumer Protection-issued permit.

C. The conditional approval shall expire if the applicant fails to provide the Town Planner with a copy of the Department of Consumer Protection-issued permit within six months of the date of the TPZ's conditional approval.

1. A six month extension of such conditional approval shall be granted to the applicant upon written notification to the Town Planner that an application for a Department of Consumer Protection permit has been filed, indicating the expected decision date of the Department of Consumer Protection permit.

6.15.9 Connecticut Department of Consumer Protection Approval:

A. The applicant shall provide the Town Plan and Zoning Commission with a copy of the appropriate Dispensary or Production Facility permit issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed permit.